# JUSTICE

*Character in the Corpus*
Approaches and Resources

# Introduction

Each of the 'Character in the Corpus' discussions in the Virtue Insight blog is supplemented by suggested questions based on previous character education pedagogical practice. These are inspired by resources created by the Jubilee Centre and those devised by teachers and by other teachers' reflections on effective teaching techniques.

Skills developed in literature require critical thinking that can be employed as a means to cultivate practical wisdom. Beyond the general benefit that character education has to educational attainment, teachers see character education and curriculum subjects as potentially mutually beneficial. Literature has a particular part to play here as a cornerstone of the humanities, one that explores human behaviour, demands critical, close analysis, and pays particular attention to literacy.

The aim is to offer teachers an introduction those virtues evident in the prose fiction of the A-level English Literature corpus.

This set of resources includes five different approaches to 'character' and how it is treated within literature, alongside touchstone passages drawn from the A-Level set texts with associated commentary detailing how character may be discussed in relation to pupils' literary studies.

Teachers may wish to use the selected touchstone passages for close critical analysis exercises that look at character. Alternatively, teachers are encouraged to seek out such passages within their own selected set text and use the commentaries as guides to frame their own approach to character education and virtue literacy.

The approaches focus on close textual analysis but point towards discussions of character as a theme throughout the text as a whole. The commentaries therefore highlight the stylistic techniques used in relation to character to satisfy A-level requirements that pupils understand how writers create certain effects. This 'critical' approach has the advantage of embedding reflection and reasoning alongside comprehension; all key components of virtue literacy.

# Definition

'Justice' is defined as having an understanding of what it is to uphold what is right (Jubilee Centre, 2014).

# Touchstones

The classroom resources and associated commentary are centred around a selection of 'touchstone' passages.

With regards to literary studies, the term 'touchstone' was coined by Matthew Arnold in 1853. The term was conferred on literary passages of significance in relation to their role in the development of literature or their affective qualities. The application of the term here therefore adopts Arnold's definition to the extent that it refers to selected short passages and their comparison but translates his method of evaluation to considering a passage's utility in the study of virtue. In this, it is meant rather in the Shakespearean sense of Touchstone as providing a degree of insight.

The touchstone passages below allow students to look at a particular virtue in its moral sense and also look at its stylistic features. For A-level students, the touchstones offer a way by which to navigate these different instantiations of a virtue via a set of five topics, around which the passages are organised.

# 1. Defining justice

The varying uses of a term like justice, shows importance of contextualising virtue terms, and fictional texts offer a way in which this can be done imaginatively and creatively. Within the A-level corpus, *justice* is frequently seen in judicial terms, i.e., as part of the criminal justice system: Justice with a capital 'J', if you like. Owing to the exploratory and binary nature of literary fiction, this pits justice's status as a moral virtue against that of its institutional delivery.

A distinguishing feature of literary language is its self-reflexiveness and the abstract nature of virtue terms makes them particularly prone to this type of examination. As literature likes wordplay, many texts exploit its ironic, punning and polysemous potential, a result of which is an interrogation of the term; also particularly useful in developing literate understanding.

Ann Radcliffe's *The Italian* offers a number of touchstone passages by which to examine an understanding of justice as distinct from the law. Owing to the fact that this is seventeenth-century prose, the language can at first be a little difficult to comprehend, but through that difficulty, it offers readers a chance to puzzle solve and develop comprehension skills.

Amongst the linguistic puzzles Radcliffe presents is her use of complex syntax, negation, Latinate diction, and ambiguous narratorial stance. Whilst, superficially, these are staples of a Gothic genre predicated on mystery, from a pedagogical perspective, these can offer lucrative specimens by which to decipher, reason, and discuss virtue.

In Chapter 13, Marchesa di Vivaldi discusses with her confidante and co-conspirator Father Schedoni the escape of Ellena, whom they had kidnapped.

## Touchstone passage 1

He paused again, but the Marchesa still remaining silent, he added, "I have often marvelled that our lawgivers should have failed to perceive the justness, nay the necessity, of such punishment!"

"It is astonishing," said the Marchesa, thoughtfully, "that a regard for their own honor did not suggest it."

“Justice does not the less exist, because her laws are neglected,” observed Schedoni. “A sense of what she commands lives in our breasts; and when we fail to obey that sense, it is to weakness, not to virtue, that we yield.”

“Certainly,” replied the Marchesa, “that truth never yet was doubted.”

“Pardon me, I am not so certain as to that,” said the Confessor; “when justice happens to oppose prejudice, we are apt to believe it virtuous to disobey her. For instance, though the law of justice demands the death of this girl, yet because the law of the land forbears to enforce it, you, my daughter, even you! though possessed of a man's spirit, and his clear perceptions, would think that virtue bade her live, when it was only fear!”

“Ha!” exclaimed the Marchesa, in a low voice, “What is that you mean? You shall find I have a man's courage also.”

“I speak without disguise.” replied Schedoni, “my meaning requires none.”

The Marchesa mused, and remained silent.

“I have done my duty,” resumed Schedoni, at length. “I have pointed out the only way that remains for you to escape dishonor. If my zeal is displeasing—but I have none.”

“No, good father, no,” said the Marchesa; you mistake the cause of my emotion. New ideas, new prospects, open!—they confuse, they distract me My mind has not yet attained sufficient strength to encounter them; some woman's weakness still lingers at my heart.”

“Pardon my inconsiderate zeal,” said Schedoni, with affected humility, “I have been to blame. If yours is a weakness, it is, at least, an amiable one, and, perhaps, deserves to be encouraged, rather than conquered.”

“How, father! If it deserves encouragement, it is not a weakness, but a virtue.”

"Be it so," said Schedoni, coolly, "the interest I have felt on this subject, has, perhaps, misled my judgment, and has made unjust. Think no more of it, or, if you do, let it be only to pardon the zeal I have testified."

"It does not deserve pardon, but thanks," replied the Marchesa, "not thanks only, but reward. Good father, I hope it will some time be in my power to prove the sincerity of my words."

(Ann Radcliffe, *The Italian*, Chapter 13)

In isolation, this passage might seem to align with a virtuous, conscience and emotion-based concept of justice. But such selection goes to show the importance of context. The passage narrates the discovery that Ellena has in fact eloped with the son of the Marchesa and Schedoni's ruminations on justice follow his suggestion of death as a fitting punishment for the elopement.

Rather than its enshrinement in law, justice becomes an instrument to nefarious scheming. The scene continues and offers ruminations on justice that in themselves seem virtuous, but for the context in which, and the characters by which, they are spoken.

Likewise, consider the scene following, which explicitly tethers justice (here vengeance) to virtue in both its vocabulary and form as a philosophical discussion.

## Touchstone passage 2

"If this person was condemned by the law," he continued, "you would pronounce her sentence to be just; yet you dare not, I am humbled while I repeat it, you dare not dispense justice yourself."

The Marchesa, after some hesitation, said, "I have not the shield of the law to protect me, father: and the boldest virtue may pause, when it reaches the utmost verge of safety."

"Never!" replied the Confessor, warmly; "virtue never trembles; it is her glory, and sublimest attribute to be superior to danger, to despise it. The best principle is not virtue till it reaches this elevation."

A philosopher might, perhaps, have been surprized to hear two persons seriously defining the limits of virtue, at the very moment in which they meditated the most atrocious crime; a man of the world would have considered it to be mere hypocrisy; a supposition which might have disclosed his general knowledge of manners, but would certainly have betrayed his ignorance of the human heart.

The Marchesa was for some time silent and thoughtful, and then repeated, deliberately, "I have not the shield of the law to protect me."

"But you have the shield of the church," replied Schedoni; "you should not only have protection, but absolution."

"Absolution!—Does virtue—justice, require absolution father?"

"When I mention absolution for the action which you perceive to be so just and necessary," replied Schedoni, "I accommodated my speech to vulgar prejudice, and to vulgar weakness. And, forgive me, that since you, my daughter, descended from the loftiness of your spirit to regret the shield of the law, I endeavoured to console you, by offering a shield to conscience. But enough of this; let us return to argument. This girl is put out of the way of committing more mischief, of injuring the peace and dignity of a distinguished family; she is sent to an eternal sleep, before her time.—Where is the crime, where is the evil of this? On the contrary, you perceive, and you have convinced me, that it is only strict justice, only self defence."

(Ann Radcliffe, *The Italian*, Chapter 14)

Father Schedoni, the confessor priest, Inquisition informer, and social climber lends these words, however sound in moral reasoning, insincerity. The narratorial voice only intrudes once here, to offer a speculation as to how differently others would view Schedoni's reasoning. What is interesting here is the use of modality; specifically, the conditional tense and hedging. Whilst this gives the impression of non-judgement, deferring to the philosopher and common man, such a deferral and generalisation is a demining assessment of the two characters' vengeance-inspired notion of justice.

In her exploration of the vagaries of justice, Radcliffe uses a common collocate of justice: dispense. One the one hand, this is a metaphorical association derived from medical discourse: justice is seen as a restorative. But on the other hand, it has hierarchical

overtones, entailed in which is the execution of power (of the dispenser). From a virtue-literacy perspective, this ambivalence offers a lucrative point of debate when thinking about the various meanings of justice and those who practise it.

Similarly, William Faulkner's *Light in August* interrogates the distance between the two distinct meanings of justice.

## Touchstone passage 3

> 'All Lucas Burch wanted was justice. Just justice. Not that he told, them bastards the murderer's name and where to find him only they wouldn't try. They never tried because they would have had to give Lucas Burch the money. Justice.' Then he says aloud, in a harsh, tearful voice: 'Justice. That was all. Just my rights. And them bastards with their little tin stars, all sworn everyone of them on oath, to protect a American citizen.' He says it harshly, almost crying with rage and despair and fatigue: 'I be dog if it ain't enough to make a man turn downright bowlsheyvick.'

(William Faulkner, *Light in August*)

Like Upton Sinclair's *The Jungle*, injustice becomes a motivator for social(ist) change. As seen in other instantiations of justice, the passage offers a gloss of this term and one that can act as a basis by which readers can calibrate their own definitions of this particular virtue term.

Miscarriages of justice are explored in Faulkner's later novel, *Intruder in the Dust* (1948), and its combination with broader issues of racial justice have proved an enduring theme throughout novels of the twentieth century e.g., *To Kill a Mockingbird* (1960) – both Lee and Faulkner use a wrongful, racially-motivated accusation as a pretext for narratives that borrow stylistic devices from detective fiction, a genre structured around the discovery of the truth. In *A Passage to India*, Forster similarly shows the judicial system at work against the backdrop of racial prejudice. The three resolutions of these texts offer alternative views of justice. In Faulkner, there is optimism in the vindication of the suspect, for Lee, there is vague optimism in the delay in delivering the verdict, and for Forster, although Aziz is vindicated, he ends his text with the conclusion that we cannot ultimately know each other.

The feeling is that justice is a lie and race has become a particular litmus test for its analysis. What's more, it transposes individual instantiations of justice to universalising

considerations of social (in)justice. In Jean Rhys's *Wide Sargasso Sea*, the term is analysed within the context of slavery.

## Touchstone passage 4

The door of Antoinette's room opened. When I saw her I was too shocked to speak. Her hair hung uncombed and dull into her eyes which were inflamed and staring, her face was very flushed and looked swollen. Her feet were bare. However when she spoke her voice was low, almost inaudible.

'I rang the bell because I was thirsty. Didn't anybody hear?'

Before I could stop her she darted to the table and seized the bottle of rum.

'Don't drink any more,' I said.

'And what right have you to tell me what I'm to do? Christophine!' she called again, but her voice broke.

'Christophine is an evil old woman and you know it as well as I do,' I said. 'She won't stay here very much longer.'

'She won't stay here very much longer,' she mimicked me, 'and nor will you, nor will you. I thought you liked the black people so much,' she said, still in that mincing voice, 'but that's just a lie like everything else. You like the light brown girls better, don't you? You abused the planters and made up stories about them, but you do the same thing. You send the girl away quicker, and with no money or less money, and that's all the difference.'

'Slavery was not a matter of liking or disliking,' I said, trying to speak calmly. 'It was a question of justice.'

'Justice,' she said. 'I've heard that word. It's a cold word. I tried it out,' she said, still speaking in a low voice. 'I wrote it down. I wrote it down several times and always it looked like a damn cold lie to me. There is no justice.' She drank some more rum and went on, 'My

mother whom you all talk about, what justice did she have? My mother sitting in the rocking-chair speaking about dead horses and dead grooms and a black devil kissing her sad mouth. Like you kissed mine,' she said.

(Jean Rhys, *Wide Sargasso Sea*)

Here, the stylistic use of repetition both foregrounds and interrogates language by turning over the word justice. Within the A-level curriculum, the requirement that students consider how writers achieve certain effects as well as understanding the perspective of a narrator and characters can be lucratively attached to discussions about virtue terminology. Indeed, that so many writers turn over moral vocabulary, indicates that literary considerations of point-of-view must be understood in terms of moral standpoint.

## Suggested questions

- To what extent do those responsible for 'dispensing' justice do so?
- Use the above passage to creatively write a similar scene in which a virtue is turned to vice.
- Are there other metaphors that we use when discussing justice and are these any better/worse?
- In what ways does the narrator show 'judgement'?
- How neatly does the idea of medicine/cure correlate with justice?
- In what ways do Faulkner and Rhys's characters share their outlook on justice?
- What examples of injustice can you think of from current events and how are they similar/different to those explored in these texts?

## 2. Justice and the law

Literary texts are particularly fond of binary oppositions and their resulting ambiguities. Their negative portrayal leads to specific critique of the justice system. The distinction between law and justice is evident in the plots of numerous fictions. Rarely, however, do we witness an explicit repudiation of such systems. In *Jane Eyre* we get the collocation *justice+done* seen in monetary terms alongside the distinction between justice and the law.

## Touchstone passage 5

"I have intimated my view of the case: I am incapable of taking any other. I am not brutally selfish, blindly unjust, or fiendishly ungrateful. Besides, I am resolved I will have a home and connections. I like Moor House, and I will live at Moor House; I like Diana and Mary, and I will attach myself for life to Diana and Mary. It would please and benefit me to have five thousand pounds; it would torment and oppress me to have twenty thousand; which, moreover, could never be mine in justice, though it might in law. I abandon to you, then, what is absolutely superfluous to me. Let there be no opposition, and no discussion about it; let us agree amongst each other, and decide the point at once."

"This is acting on first impulses; you must take days to consider such a matter, ere your word can be regarded as valid."

"Oh! if all you doubt is my sincerity, I am easy: you see the justice of the case?"

"I do see a certain justice; but it is contrary to all custom. Besides, the entire fortune is your right: my uncle gained it by his own efforts; he was free to leave it to whom he would: he left it to you. After all, justice permits you to keep it: you may, with a clear conscience, consider it absolutely your own."

"With me," said I, "it is fully as much a matter of feeling as of conscience: I must indulge my feelings; I so seldom have had an opportunity of doing so. Were you to argue, object, and annoy me for a year, I could not forego the delicious pleasure of which I have caught

a glimpse - that of repaying, in part, a mighty obligation, and winning to myself lifelong friends."

"You think so now," rejoined St. John, "because you do not know what it is to possess, nor consequently to enjoy wealth: you cannot form a notion of the importance twenty thousand pounds would give you; of the place it would enable you to take in society; of the prospects it would open to you: you cannot--"

"And you," I interrupted, "cannot at all imagine the craving I have for fraternal and sisterly love. I never had a home, I never had brothers or sisters; I must and will have them now: you are not reluctant to admit me and own me, are you?"

"Jane, I will be your brother - my sisters will be your sisters - without stipulating for this sacrifice of your just rights."

(Charlotte Brontë, *Jane Eyre*, Chapter 33)

This passage uses the common understanding of justice in monetary terms, e.g., of repaying our debt to society. What lends such metaphors weight is that it is spoken by a woman who, in service, is subject to a complex array of financially-based relationships. The other significant aspect of Jane's response is its emphasis on feeling, and that it is this that makes it a matter of conscience. Jane Eyre thus provides a text in which justice can be understood as specifically exemplified through characterisation.

Likewise, Dickens's novels offer a variety of characters, caricatures even, that expose the vagaries of societal justice. Chapter 43 of Oliver Twist is one of many literary scenes partly set in a courtroom and narrates the shifting judgements of characters Fagin becomes educator to Master Bates on the machinations of the judiciary. Later, brought in front of a magistrate's bench for pickpocketing a handkerchief, when the Artful Dodger is asked if he has anything to say in his defence, his reply appeals to the notion of justice in several respects.

## Touchstone passage 6

'Have you anything to say at all?'

'Do you hear his worship ask if you've anything to say?' inquired the jailer, nudging the silent Dodger with his elbow.
'I beg your pardon,' said the Dodger, looking up with an air of abstraction. 'Did you redress yourself to me, my man?'

'I never see such an out-and-out young wagabond, your worship,' observed the officer with a grin. 'Do you mean to say anything, you young shaver?'

'No,' replied the Dodger, 'not here, for this ain't the shop for justice: besides which, my attorney is a-breakfasting this morning with the Wice President of the House of Commons; but I shall have something to say elsewhere, and so will he, and so will a wery numerous and 'spectable circle of acquaintance as'll make them beaks wish they'd never been born, or that they'd got their footmen to hang 'em up to their own hat-pegs, afore they let 'em come out this morning to try it on upon me. I'll--'

'There! He's fully committed!' interposed the clerk. 'Take him away.'

'Come on,' said the jailer.

'Oh ah! I'll come on,' replied the Dodger, brushing his hat with the palm of his hand. 'Ah! (to the Bench) it's no use your looking frightened; I won't show you no mercy, not a ha'porth of it. _You'll_ pay for this, my fine fellers. I wouldn't be you for something! I wouldn't go free, now, if you was to fall down on your knees and ask me. Here, carry me off to prison! Take me away!'

With these last words, the Dodger suffered himself to be led off by the collar; threatening, till he got into the yard, to make a parliamentary business of it; and then grinning in the officer's face, with great glee and self-approval.

The two hastened back together, to bear to Mr. Fagin the animating news that the Dodger was doing full justice to his bringing-up, and establishing for himself a glorious reputation.

(Charles Dickens, *Oliver Twist*, Chapter 43)

The scene is a satire on judicial process as Dodger lampoons its procedures in a way that reinforces the dialogue that precedes it. The four references to justice in the passage indicate how repetition can be an effective tool for exposing the slipperiness of language, if not downright uselessness. Such wordplay is a favourite pastime of authors, eager to produce irony from the clash of the various meanings of a word.

The double meaning is critical to understanding justice as conceptualised in literature as it suggests that where the justice system fails, text can ameliorate; whereas justice cannot be attained in the courtroom, it can within the pages of a book (see below). The fourth and final use, "doing full justice to", stands apart from those other uses as a positive use of justice, and one which is closely aligned with narration.

At the end of *Tess of the d'Urbervilles*, we see the ironic potential that polysemous words have, again with highlighting the distance that exists between justice as executed by the state and as a virtue. As readers we are left in no doubt that Hardy wishes his reader to pity Tess's conviction. As if to drive home this point, the novel's subtitle, "A Pure Woman", stands at odds with the novel's ending.

## Touchstone passage 7

Against these far stretches of country rose, in front of the other city edifices, a large red-brick building, with level gray roofs, and rows of short barred windows bespeaking captivity, the whole contrasting greatly by its formalism with the quaint irregularities of the Gothic erections. It was somewhat disguised from the road in passing it by yews and evergreen oaks, but it was visible enough up here. The wicket from which the pair had lately emerged was in the wall of this structure. From the middle of the building an ugly flat-topped octagonal tower ascended against the east horizon, and viewed from this spot, on its shady side and against the light, it seemed the one blot on the city's beauty. Yet it was with this blot, and not with the beauty, that the two gazers were concerned.

Upon the cornice of the tower a tall staff was fixed. Their eyes were riveted on it. A few minutes after the hour had struck something moved slowly up the staff, and extended itself upon the breeze. It was a black flag.

"Justice" was done, and the President of the Immortals, in Æschylean phrase, had ended his sport with Tess. And the d'Urberville knights and dames slept on in their tombs unknowing. The two speechless gazers bent themselves down to the earth, as if in prayer, and remained thus a long time, absolutely motionless: the flag continued to wave silently. As soon as they had strength, they arose, joined hands again, and went on.

(Thomas Hardy, Tess of the d'Urbervilles, Chapter 58)

What is striking here is that for all of its descriptive detail, there is no explicit mention of the setting (a prison), the characters present (Alec and Liza-Liu), nor its main action (an execution). The prison is rendered in generalised terms (building, it, structure), characters likewise (the pair, they) and both are reduced to metonymy (the tower, their eyes). The execution (and after all, narrative is concerned with action), is simply implied by the raising of the black flag.

Throughout, syntactically, Hardy postposes his grammatical subjects and main clauses, and uses passive constructions. The lack of internal point of view, along with epistemically weak phrases such as "seemed" and "as if" demand a reader employ their top-down, inference-making skills. All of this reduction serves the purpose of foregrounding the passage's two simple main clauses, 'It was a black flag' and '"Justice" was done'.

Such foregrounding makes the presentation of justice particularly powerful. Despite the lack of internal, thought presentation, there are strategies at play that align reader and characters. Look closely at the following line: "something moved slowly up the staff, and extended itself upon the breeze. It was a black flag." At play here is the principle of "psychological sequencing" (Leech and Short, 1981) as readers experience events in real time, i.e., in parallel with the characters of the novel. The delay of identifying what it is we are looking at is a neat trick. Without resorting to projections through character perspectives, Hardy is able to simultaneously suggest an affinity with the novels characters whilst leaving us uninfluenced by their judgement. Alternatively, the passage can be read as one of not simple passivity but a sense of futility.

Moving from obscurity to identification, gives end focus to these symbols of justice. And this highlights another important aspect of the relationship between justice and fiction: its role in showing justice being done. Why then does Hardy make this invisible to the reader and characters closest to Tess? The distance may be seen as a disavowal, a literary

manifestation of the way that again, in not describing the act of execution, Hardy is able to present it objectively. The custom of raising a black flag at executions became cause for parliamentary concern in May 1902. The concern stemmed from "the conduct of the crowds which have assembled to witness the hoisting of the black flag" with amendment in law stating that it be replaced with a written notice. In this sense, Hardy taps into a public appetite for these executions as narratives; and indeed, crowds could buy death speeches at gates and newspapers enjoyed higher circulation figures when detailing an execution.

Text (including fiction) became not only the medium of codifying justice but showing justice being done. As such, the passage offers a useful source for considering the ways in which justice is presented and the associated 'judgement' that a narrator shows. Much time is spent looking at legal language, the way in which justice is codified and how it is shown to be done.

## Suggested questions

- What are the different meanings of the word *justice* evident in these passages, and are there any other words that mean the same thing?
- Do you think Dickens and Bronte are making a particular comment about how society deals with justice?
- What is happening in the final passage from Tess of the d'Urbervilles, what is its main action?
- What clues do we get to Hardy's opinion of the justice that Tess receives? What does this passage tell us about the various meanings of *justice*?

## 3. Doing justice

A further consideration that can be applied to the final passage from *Tess of the d'Urbervilles* is its placement as the novel's ending. Seen in this context, such distancing in the passage is a linguistic manifestation of a "general opening out", as E.M. Forster puts it, that is typical of novel endings. One of the ways in which the text opens out is its use of classical allusion. The allusion to Aeschlyus whose *Oresteia* is a literary exploration of how earthly justice contrasts with that of the gods. The reference to the "President of the Immortals" from the play *Prometheus Bound*, which narrates Prometheus's sentence of being chained to a rock and having his liver devoured by an eagle, until set free by Hercules. Unpicking this allusion reveals perhaps the clearest indication of the narrator's opinion of such 'sport'.

Aeschylus was the Greek dramatist who introduced the *deus ex machina*. Literally meaning 'God out of the machine'; a stage device that mechanically brought gods onto the stage

to resolve the dramatic action. In literary theory, the term has come to be associated with conceits that clumsily resolve plot. It fuses the idea of closure with that of (divine) justice. Thus, justice is a useful narrative option for writers due to its relationship with equity, as a critical ingredient of well-formed narratives is that they move from disruption to equity.

Through the use of allusion, Hardy elevates Tess, and places his own work in dialogue with other fictions that deal with justice. In this, it is an endorsement of literature's capacity as a site for justice. Endings are natural points at which readers exercise 'judgement': the neutral narration forces the reader to take a stand.

To *do+justice* is a crucial critical skill, particularly when it comes to (judging) character. A recurrent theme throughout Woolf's work is how one can know others, a process which is often fragmentary, fleeting and bound by surface impressions (*Jacob's Room*). It is an idea that is bound up with the narrative conundrum of how to 'do justice' in text.

## Touchstone passage 8

But how could she swallow all that stuff about poetry? How could she let him hold forth about Shakespeare? Seriously and solemnly Richard Dalloway got on his hind legs and said that no decent man ought to read Shakespeare's sonnets because it was like listening at keyholes (besides the relationship was not one that he approved). No decent man ought to let his wife visit a deceased wife's sister. Incredible! The only thing to do was to pelt him with sugared almonds - it was at dinner. But Clarissa sucked it all in; thought it so honest of him; so independent of him; Heaven knows if she didn't think him the most original mind she'd ever met!

That was one of the bonds between Sally and himself. There was a garden where they used to walk, a walled-in place, with rose-bushes and giant cauliflowers--he could remember Sally tearing off a rose, stopping to exclaim at the beauty of the cabbage leaves in the moonlight (it was extraordinary how vividly it all came back to him, things he hadn't thought of for years,) while she implored him, half laughing of course, to carry off Clarissa, to save her from the Hughs and the Dalloways and all the other "perfect gentlemen" who would "stifle her soul" (she wrote reams of poetry in those days), make a mere hostess of her, encourage her worldliness. But one must do Clarissa justice. She wasn't going to marry Hugh anyhow. She had a perfectly clear notion of what she wanted. Her emotions were all on the surface. Beneath, she was very shrewd - a far better judge of character than Sally,

for instance, and with it all, purely feminine; with that extraordinary gift, that woman's gift, of making a world of her own wherever she happened to be. She came into a room; she stood, as he had often seen her, in a doorway with lots of people round her. But it was Clarissa one remembered. Not that she was striking; not beautiful at all; there was nothing picturesque about her; she never said anything specially clever; there she was, however; there she was.

(Virginia Woolf, *Mrs Dalloway*)

*Justice* is narrativized as part-and-parcel of the mind-reading practices that we execute in daily life. Such speculations show how we regularly employ the critical tools that underpin justice. Here, the idea of doing justice and judging character are combined.

With respect to discourse presentation, such moments demonstrate Woolf's use of Free Indirect Thought, by which the narrator's voice and the thoughts of a character are intertwined. This demands that readers must judge who is speaking, which words relate to the narrator, which to the character. This complicates the idea of narratorial stance and can provide a lucrative 'in' for classroom discussion around how writers and narrators show judgement.

In general language usage, the *do+justice* cluster is more commonly used in negated constructions (i.e., *don't+do*+[subject]+*justice*). Its usual negative prosody thus means Woolf's use here is deviant, and thereby suspicious. Therefore, when a reader reads a line like the following, its meaning is undercut by a misgiving that something's amiss with its phrasing "to do Richard justice he would have been happier farming in Norfolk". On the surface, it is a dismissive comment, but its negative prosody also suggests that we tend to be more aware of instances of where language does not do its subjects justice, meaning that it is not simply a literary trope designed to interest readers but a reflection of things as they are. If so, a trope of these passages and suggests that justice is not an abstract or legalistic term, but a practical skill; shows the mechanisms of justice at work in the human mind.

## Suggested questions

- How do fictional narrator show 'judgement'?
- What do we mean when we talk of 'doing justice'? Is it simply applied to how we communicate or does it also relate to real-world action?
- In what ways do the novels explore (in)justices that are no longer present?

- What kind of language do we use when we talk about justice?
- In what ways can the written word promote justice?

## 4. Imagery

The effect of using allusion, such as that in the final passage of *Tess of the d'Urbervilles*, is to graft these narratives on a grander scale, to lend them gravitas. And justice seems particularly prone to such aggrandisement. Take the example of Henry James's *What Maisie Knew*. The whole novella examines the court proceedings of a divorce and custody settlement. In its examination of the execution of judicial process it is scathing. James uses Biblical allusion to describe the joint custody that Maisie must endure.

## Touchstone passage 9

His debt was by this arrangement remitted to him and the little girl disposed of in a manner worthy of the judgement-seat of Solomon. She was divided in two and the portions tossed impartially to the disputants. They would take her, in rotation, for six months at a time; she would spend half the year with each. This was odd justice in the eyes of those who still blinked in the fierce light projected from the tribunal--a light in which neither parent figured in the least as a happy example to youth and innocence. What was to have been expected on the evidence was the nomination, _in loco parentis_, of some proper third person, some respectable or at least some presentable friend. Apparently, however, the circle of the Faranges had been scanned in vain for any such ornament; so that the only solution finally meeting all the difficulties was, save that of sending Maisie to a Home, the partition of the tutelary office in the manner I have mentioned. There were more reasons for her parents to agree to it than there had ever been for them to agree to anything; and they now prepared with her help to enjoy the distinction that waits upon vulgarity sufficiently attested. Their rupture had resounded, and after being perfectly insignificant together they would be decidedly striking apart. Had they not produced an impression that warranted people in looking for appeals in the newspapers for the rescue of the little one--reverberation, amid a vociferous public, of the idea that some movement should be started or some benevolent person should come forward? A good lady came indeed a step or two: she was distantly related to Mrs. Farange, to whom she proposed that, having children and nurseries wound up and going, she should be allowed to take home the bone of contention and, by working it into her system, relieve at least one of the parents. This would make every time, for Maisie, after her inevitable six months with Beale, much more of a change.

“More of a change?” Ida cried. “Won't it be enough of a change for her to come from that low brute to the person in the world who detests him most?”

“No, because you detest him so much that you'll always talk to her about him. You'll keep him before her by perpetually abusing him.”

Mrs. Farange stared. “Pray, then, am I to do nothing to counteract his villainous abuse of ME?”

The good lady, for a moment, made no reply: her silence was a grim judgement of the whole point of view. “Poor little monkey!” she at last exclaimed; and the words were an epitaph for the tomb of Maisie's childhood. She was abandoned to her fate. What was clear to any spectator was that the only link binding her to either parent was this lamentable fact of her being a ready vessel for bitterness, a deep little porcelain cup in which biting acids could be mixed. They had wanted her not for any good they could do her, but for the harm they could, with her unconscious aid, do each other. She should serve their anger and seal their revenge, for husband and wife had been alike crippled by the heavy hand of justice, which in the last resort met on neither side their indignant claim to get, as they called it, everything. If each was only to get half this seemed to concede that neither was so base as the other pretended, or, to put it differently, offered them both as bad indeed, since they were only as good as each other. The mother had wished to prevent the father from, as she said, “so much as looking” at the child; the father's plea was that the mother's lightest touch was “simply contamination.” These were the opposed principles in which Maisie was to be educated--she was to fit them together as she might. Nothing could have been more touching at first than her failure to suspect the ordeal that awaited her little unspotted soul. There were persons horrified to think what those in charge of it would combine to try to make of it: no one could conceive in advance that they would be able to make nothing ill.

(Henry James, *What Maisie Knew*, Chapter 1)

Seeing character as a domestic object was a trope of another nineteenth-century author, Charles Dickens. A kind of reverse personification, such metaphors have the effect of

objectifying character and indeed, throughout, Maisie's portrayal as such underscores her treatment as an asset over which ownership is fought.

*What Maisie Knew* is replete with metaphors continue throughout the text and provides a good source for looking at the way justice is presented and what that tells us about its impact on character. James's playfulness with lofty and sometimes absurd metaphors, provide stimulating material for a discussion of the ways in which fiction does justice to its characters.

In Upton Sinclair's *The Jungle*, Jurgis's experience within a prison shares a similar metaphorical schema to Maisie, construing the victims of the justice system as being abandoned. When he hears bells from his prison cell, this prompts a recollection of Christmases past.

## Touchstone passage 10

But no, their bells were not ringing for him--their Christmas was not meant for him, they were simply not counting him at all. He was of no consequence--he was flung aside, like a bit of trash, the carcass of some animal. It was horrible, horrible! His wife might be dying, his baby might be starving, his whole family might be perishing in the cold--and all the while they were ringing their Christmas chimes! And the bitter mockery of it--all this was punishment for him! They put him in a place where the snow could not beat in, where the cold could not eat through his bones; they brought him food and drink--why, in the name of heaven, if they must punish him, did they not put his family in jail and leave him outside--why could they find no better way to punish him than to leave three weak women and six helpless children to starve and freeze? That was their law, that was their justice!

Jurgis stood upright; trembling with passion, his hands clenched and his arms upraised, his whole soul ablaze with hatred and defiance. Ten thousand curses upon them and their law! Their justice--it was a lie, it was a lie, a hideous, brutal lie, a thing too black and hateful for any world but a world of nightmares. It was a sham and a loathsome mockery. There was no justice, there was no right, anywhere in it--it was only force, it was tyranny, the will and the power, reckless and unrestrained! They had ground him beneath their heel, they had devoured all his substance; they had murdered his old father, they had broken and wrecked his wife, they had crushed and cowed his whole family; and now they were through with him, they had no further use for him--and because he had interfered with them, had gotten

in their way, this was what they had done to him! They had put him behind bars, as if he had been a wild beast, a thing without sense or reason, without rights, without affections, without feelings. Nay, they would not even have treated a beast as they had treated him! Would any man in his senses have trapped a wild thing in its lair, and left its young behind to die?

These midnight hours were fateful ones to Jurgis; in them was the beginning of his rebellion, of his outlawry and his unbelief. He had no wit to trace back the social crime to its far sources--he could not say that it was the thing men have called "the system" that was crushing him to the earth; that it was the packers, his masters, who had bought up the law of the land, and had dealt out their brutal will to him from the seat of justice. He only knew that he was wronged, and that the world had wronged him; that the law, that society, with all its powers, had declared itself his foe. And every hour his soul grew blacker, every hour he dreamed new dreams of vengeance, of defiance, of raging, frenzied hate.

(Upton Sinclair, *The Jungle*, Chapter 16)

As with James, simile associates the main character with an animal. This develops a theme of the text that is concerned with the poor treatment of migrants, focussed on those working in Chicago's meatpacking industry. The slaughterhouse is both a death-trap for the humans and animals alike, and Jurgis's comparison with a carcass reinforces this. Indeed, the novel's title suggests this parity, and sees the justice administered as particularly animalistic.

In its observation of justice in operation, *The Jungle* engages in the Aristotelian debate about tyranny and justice. The first passage read like apostrophes due to their use of rhetorical devices, including exclamation, metaphor, recursion, lists, and negation amongst others. Central to this is feeling, and thus Sinclair makes a direct appeal to the reader's empathy; most effectively seen in the linguistic form he adopts in this passage: Free Indirect Thought. As such, it reads both as a Free Indirect rendering of a character's thoughts and a social commentary. 'Feeling' is exactly what Sinclair is after and he uses the ancient tools of rhetoric, which used feeling to persuade, to achieve this.

## Suggested questions

- What kind of metaphors are used in the passages and what do they tell us about the author's presentation of justice?
- Which metaphors do we use when talking about justice?
- Think about a time when you have experienced, however slight, an injustice. How did it make you feel?